



**OFFICE OF THE CITY ATTORNEY**

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June 25, 2014

TO: All Political Candidates in the November 2014 General Election

**POSTING OF ELECTION SIGNS**

The Office of the City Attorney has prepared this summary of the Mountain View City Code relative to election signs in order for the candidates to make the fullest and fairest use of their opportunities for the posting of signs within the City.

Although the posting of election signs on public property is generally prohibited, the City does permit the posting on designated parcels. The public properties where political signs may be posted are identified in this letter.

Finally, the proper posting of signs is the responsibility of the candidate, proponents or opponents of ballot measures and campaign workers supportive of same. The law also applies to commercial sign companies hired to post these signs. Therefore, it is important to provide your campaign workers and your sign company, if any, with the regulations set forth in the City Code. Violations of the City Code and anyone posting a sign illegally, including campaign workers or commercial sign companies, can be prosecuted.

It is our hope that, through the dissemination of this information and material, the election can be conducted as set forth in the City Code and in a fair manner as it relates to the posting of signs and the enforcement of the election sign program.

**GOAL OF THE SIGN PROGRAM**

Political sign regulations are found within the Mountain View City Code (copy enclosed). The placement of signs by candidates or proponents or opponents of ballot measures is very important to the political process and, therefore, the goal of the sign program is to provide minimum regulations regarding the posting, maintenance and

removal of political signs in order to enhance the election process, protect the rights of political candidates and property owners as well as the health, safety and general welfare of the citizens of Mountain View.

### **WHO DOES THE ORDINANCE APPLY TO?**

It applies to anyone who posts a sign, including the candidate, campaign workers, proponents or opponents of ballot measures, and commercial sign companies.

### **WHEN CAN SIGNS BE POSTED?**

Political signs may be posted on public property seventy-five (75) days before the November 4, 2014 election or August 21, 2014, and up to ten (10) days after the election, or to December 4, 2014.

### **ALLOWABLE SIZE**

Political signs shall not exceed 16 square feet in size. This does not apply to commercial billboards or advertising within buildings.

### **WHERE CAN SIGNS BE POSTED?**

- A. Private Property—Signs may be posted on any private property with the owner's permission or the permission of the person in custody or control of the property (i.e., a tenant).
- B. Public Property—No sign shall be posted on public property except as provided in Subsection (1) below:
  - 1. **One sign only may be placed on the following City-owned parcels of land:**
    - a. Northeast Corner of South Shoreline Boulevard and Church Street;
    - b. East Side of South Shoreline Boulevard, Between California and Mercy Streets;
    - c. Southwest Corner of South Shoreline Boulevard and Latham Street;
    - d. Northwest Corner of Marilyn Drive and Miramonte Avenue, Across from the Castro Commons Complex;

- e. Cuesta Park Annex—Undeveloped Portion, Between the Gate and the Cuesta Park Turf (but not attached to the fence);
- f. Crittenden Parking Lot, North of Fire Station No. 5, Adjacent to Shoreline Boulevard;
- g. Southeast Corner of El Camino Real West and Phyllis Avenue;
- h. Undeveloped Lot at the Southeast End of Bryant Avenue, Adjacent to the School District Building (the former water tower site);
- i. Northeast Corner of North Shoreline Boulevard and Stierlin Road;
- j. Southwest Corner of Grant Road and Cuesta Drive; and
- k. Northeast Corner of Grant Road and April Lane.

(See attached pictures.)

**Only one sign** (for each candidate or ballot position) may be placed on each of the above-designated parcels, and all such signs must be removed within ten (10) days following the close of the election.

- 2. **Utility Poles**—Placement of signs on lamp poles, telephone poles or other utility poles is prohibited.

## **REMOVAL OF IMPROPER SIGNS**

- A. Private Property—The property owner or tenant may remove signs placed without permission on private property. Signs placed on private property that obstruct vehicular or pedestrian traffic or create a safety hazard will be removed by the City, if necessary.
- B. Public Property—Signs placed on public property in violation of the City Code may be removed without notice.

Signs removed by the City will be collected and placed at the Municipal Operations Center on North Whisman Road, and the City Clerk will be notified of said removals. The City Clerk will endeavor to notify the candidates or the proponents/opponents of ballot measures as to the removal and their ability to

collect same. The City, however, reserves the right to retain the signs as evidence in the event the City Attorney decides to prosecute the violator.

- C. Costs for Removal—The City may seek to recover the cost of removal from the offending party.

## **ENFORCEMENT AND INSPECTION**

Throughout the election, the City will respond to complaints regarding the improper placement of political signs. As a general rule, the City tries to notify the candidate or proponent/opponent that the offending sign may need to be removed. If offending signs are great in number, the City may conduct enforcement sweeps where all illegal signs placed on public property are collected and placed at the Municipal Operations Center.

## **UNLAWFUL REMOVAL OR INTERFERENCE**

It is unlawful for anyone to deface, remove, alter, make additions to or conceal a political sign without the consent of the candidate or proponent/opponent of the ballot measure who placed the sign.

## **ANY QUESTIONS?**

It remains the goal of City staff to work with candidates and proponents/opponents of ballot measures to achieve the fullest and least restrained exercise of this important political right. For that reason, we make every effort to contact those who may have placed signs in contravention of the Code and ask them to remove and replace the sign in an allowable location. We will continue to respond both on a complaint basis to sign violations as well as staying ever vigilant to signs that staff members spot that may be improperly placed.

If you have any questions, contact the City of Mountain View Code Enforcement Division at (650) 526-7713.



JANNIE L. QUINN, CITY ATTORNEY

JLQ/CC/4/ATY/018-05-14-14L

Attachment

# POSTING OF ELECTION SIGNS

## City-Owned Parcels of Land

Northeast Corner of South  
Shoreline Boulevard and Church Street



East Side of South Shoreline Boulevard, Between  
California and Mercy Streets



Southwest Corner of South Shoreline  
Boulevard and Latham Street



Northwest Corner of Marilyn Drive  
and Miramonte Avenue, Across from the  
Castro Commons Complex





Cuesta Park Annex – Undeveloped Portion,  
Between the Gate and the Cuesta Park Turf



Crittenden Parking Lot, North of Fire Station No. 5,  
Adjacent to Shoreline Boulevard



Southeast Corner of El Camino Real West  
and Phyllis Avenue



Undeveloped Lot at the Southeast End of Bryant  
Avenue, Adjacent to the School District Building





Northeast Corner of North Shoreline Boulevard  
and Stierlin Road



Southwest Corner of Grant Road and  
Cuesta Drive



Northeast Corner of Grant Road and  
April Lane

